

SAFE DRINKING WATER ACT

R6-9- 70. National Drinking Water Regulations

1. AUTHORITY. Pursuant to Section 1412 of the Safe Drinking Water Act, as amended, authority to:
  - a. Approve and publish a list of technologies for small drinking water systems to meet the Surface Water Treatment Rule, in accordance with Section 1412 (b)(4)(E)(v).
  - b. Publish a list of contaminants which, at the time of publication, are not subject to any proposed or promulgated national primary drinking water regulation, which are known or anticipated to occur in public water systems, and which may require regulation, in accordance with Section 1412(b)(1)(B)(i).
  - c. Publish a list of technologies for small drinking water systems to achieve compliance with each of the regulations promulgated prior to the 1996 SDWA Amendments, except for the Surface Water Treatment Rule, in accordance with Section 1412(b)(4) (E)(iii).
  - d. Publish an updated list of small drinking water systems compliance technologies for regulated contaminants, in accordance with Section 1412(b)(4) (E)(iv).
  - e. Publish guidance listing variance technologies for those regulations promulgated prior to the 1996 SDWA Amendments, for which a variance may be granted under Section 1412(e), in accordance with Section 1412(b)(15).
  - f. Publish updated guidance listing variance technologies for small systems, in accordance with Section 1412(b)(15).
  - g. Publish an analysis of health risk reduction and costs that meets the requirements of Section 1412(b)(3)(C) for potential maximum contaminant level that are being considered for radon in drinking water, in accordance with Section 1412(b)(13)(C).
  - h. In situations where EPA has primary enforcement authority, allow individual water systems up to an additional 2 years to comply with a maximum contaminant level or treatment technique, in accordance with Section 1412(b)(10).

Delegation of Authority from the  
Regional Administrator

SAFE DRINKING WATER ACT

R6-9- 70. National Drinking Water Regulations (Contd.)

i. Concur with a State determination to establish treatment requirements as a limited alternative to filtration for water systems having uninhabited, undeveloped watersheds in consolidated ownership, and having control over access to, and activities in, those watersheds, in accordance with Section 1412(b)(7)(C)(v).

j. Approve State multimedia mitigation programs for Radon, in accordance with Section 1412(b)(13)(G)(iii).

k. Review State multimedia mitigation programs periodically, but not less often than, every five years to determine if they still meet the requirements of SDWA, in accordance with Section 1412(b)(13)(G)(iv).

2. TO WHOM DELEGATED.

a. Authorities 1(a) through 1(g) are delegated to the Assistant Administrator for Water (OW).

b. Authorities 1(h) through 1(k) are delegated to the Regional Director of Water Quality Protection Division.

3. LIMITATIONS.

a. Regional Administrators must obtain concurrence from the Assistant Administrator for OW and the Assistant Administrator for Enforcement and Compliance Assurance under 1(i).

b. Regional Administrators must receive concurrence from the Assistant Administrator for Water and the Assistant Administrator for Air and Radiation for the first State program in each Region under 1(j).

c. The authority under 1(h) can not be exercised to provide an additional 2-year extension if a 2-year extension under Section 1412(b)(10) has been provided in the final rule.

Delegation of Authority from the  
Regional Administrator

SAFE DRINKING WATER ACT

R6-9- 70. National Drinking Water Regulations (Contd.)

4. REDELEGATION AUTHORITY.

- a. The authorities under 1(a) through 1(g) delegated to the Assistant Administrator for OW may not be redelegated.
- b. The authority under 1(i) delegated to Regional Administrators may not be redelegated.
- c. Regional Administrators may redelegate the authority under 1(h) to Water Division Directors, or equivalent, and may not be redelegated further.
- d. Regional Administrators may redelegate the authorities under 1(j) and 1(k) to the Water Division Directors, or equivalent, with concurrence on the approval by Air Division Directors, or equivalent, and may not be redelegated further.

5. ADDITIONAL REFERENCES.

- a. 40 CFR 141.61, 40 CFR 141.62, 40 CFR 141.63, 40 CFR 141.73, and 40 CFR 141.80; 62 FR 52193-52219.

Delegation of Authority from the  
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